IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIRST DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 13580 of 2003

Between:

1 Smt. E. Laxmi W/o. Ram Reddy
R/o. Cheppyal, Kodimial Mandal, Karimnagar District.
2 Smt. V. Padma W/o. Nama Reddy
R/o. Rudraram, Ramadugu Mandal, Karimnagar District.
3 Smt. M. Rukmini W/o. Venkat Reddy
R/o. Pegadapalli, Karimnagar District.
4 Smt. K. Sarala W/o. Mohan Reddy
R/o. Seetharam poor, Karimnagar District
5 Smt. K. Padma W/o. Thirupathi Reddy
R/o. Laygalamarry, Karimnagar District.
6 Smt. G. Aruna W/o. Nagabhushan Reddy
R/o. Sriramula Pally, Kodimial Mandal, Karimnagar District.
7 V. Prabhakar Reddy S/o. Gopal Reddy
R/o. Cheppala Kodimial Mandal, Karimnagar District.
8 Smt. V. Sucheritha W/o. Thirupathi Reddy
Vidyanagar, Karimnagar.
9 N. Rajesham S/o. Muthaiah
R/o. Kodimial, Karimnagar District.

..... PETITIONERS

AND

1 The A.P. State Financial Corporation represented by its Managing Director, Chirag Ali Lane, Hyderabad.
2 The Branch Manager, Branch Office, A.P. State Financial Corporation, Opposite : Collectorate Complex, Karimnagar.
3 M/s. Sri Rajarajeswara Commercial and Investments Limited, represented by Sri Sangam Thrilochana Rao S/o.Gopal Rao H.No. 2/8/40/1, Mukarampura

Street, Karimnagar Town, Karimnagar.

4 M/s. Sri Rajarajeswara Fuel Filling Ltd. represented by Sri T. Sanjeeva Reddy R/o. Raji Reddy, Kondapur, Velgaturu Mandal, Karimnagar District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court be pleased to issue a writ order or direction particularly one in the nature of writ of mandamus declaring the action of the second respondent in invoking the provisions under Section 29 of State Financial Corporation Act, 1951 by including the petitioners' property at Serial No. 16 a) in the Notification issued on 23-06-2003 calling for sealed tenders cum bids without first taking recourse to the provisions under Section 31(1) of the Act, 1951 for realization of the loan amount due to the Corporation in respect of third and fourth respondents as illegal and arbitrary and also declaring that the action of the second respondent in not taking any action for recovery of the loan amount from the mortgaged property of the third and fourth respondents vide the said notification dt.23-6-2003is illegal, arbitrary and contrary to the provisions of State Financial Corporation Act, 1951. (prayer is amended as per Court order dated 16-09-2003 in W.P.M.P.No.23719 of 2003)

Counsel for the Petitioners: MR.K.SATYANARYANA MURTHY

Counsel for Respondent Nos. 1 and 2: MS Y.N.LOHITA, S.C. for APSFC.

Counsel for Respondents 3 and 4: --

The Court made the following:

ORDER:-

Heard both the learned counsel and at their request, the writ petition itself is taken up for disposal at the stage of Interlocutory application.

Learned Standing counsel appearing on behalf of the respondent-Corporation submitted that the original borrower, who is the vendor of the petitioners has already cleared the entire liability in one time settlement. Having regard to the same, no orders are necessary in this writ petition.

Accordingly, this writ petition is dismissed. No costs.

01—10—2004.

Stv/-

To

1 The Managing Director, A.P. State Financial Corporation
Chirag Ali Lane, Hyderabad.
2 The Branch Manager, Branch Office, A.P. State Financial Corporation,
Opposite : Collectorate Complex, Karimnagar.
3 Two C.D. copies.